

**Craig P. Tanio, M.D.**  
CHAIR



**Ben Steffen**  
EXECUTIVE DIRECTOR

## **MARYLAND HEALTH CARE COMMISSION**

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**Thursday, March 17, 2016**

### **Minutes**

Chairman Tanio called the meeting to order at 1:07 p.m.

Commissioners present: Carr-York, Fleig, Fronstin, Moffit, O’Grady, Pollak, Stollenwerk, and Thomas. Commissioner Metz participated by telephone.

Chairman Tanio welcomed and introduced Randolph S. Sergent who was nominated for appointment to the MHCC by Governor Hogan in February. Mr. Sergent is Vice President and Deputy General Counsel of CareFirst BlueCross BlueShield. Previously, he was a partner with Venable LLP. Earlier in his career, Mr. Sergent served as an Assistant Attorney General with the Maryland Insurance Administration. Even though Mr. Sergent had not been sworn in as a Commissioner, he attended the March meeting of the Commission.

### **ITEM 1.**

#### **Approval of the Minutes**

Commissioner Fleig made a motion to approve the minutes of the February 18, 2016 meeting of the Commission, which was seconded by Commissioner Fronstin and unanimously approved.

### **ITEM 2.**

#### **Update of Activities**

Ben Steffen, Executive Director, referred the members of the Commission to the written Update of Activities for March.

### **ITEM 3.**

**ACTION: Certificate of Conformance for Emergency and Elective Percutaneous Coronary Intervention Services: University of Maryland Shore Medical Center at Easton (Docket No. CC-15-20-000)**

Eileen Fleck, Chief of Acute Care Policy and Planning, presented Staff's Report and Recommendation on the application of the University of Maryland Shore Medical Center at Easton for a Certificate of Conformance to establish primary and elective percutaneous coronary intervention services. Shore Medical Center at Easton was the first Maryland hospital to request approval to simultaneously establish primary and elective PCI services under the new PCI and Cardiac Surgery Chapter of the State Health Plan. Staff recommended approval of the Certificate of Conformance. Commissioner Moffit made a motion to approve the Staff recommendation to grant the Certificate of Conformance, which was seconded by Commissioner Fleig and unanimously approved.

**ACTION: Certificate of Conformance for Emergency and Elective Percutaneous Coronary Intervention Services: University of Maryland Shore Medical Center at Easton (Docket No. CC-15-20-000) is hereby APPROVED.**

### **ITEM 4.**

**ACTION: COMAR 10.24.16 – State Health Plan for Facilities and Services: Home Health Agency Services – Final Regulations**

Cathy Weiss, Program Manager for Long Term Care Policy and Planning, presented a review of public comments on COMAR 10.24.16, the Home Health Agency Services Chapter of the State Health Plan for Facilities and Services, which was adopted by the Commission as proposed permanent regulations at its November 2015 meeting. Staff recommended adoption of the proposed regulations as final regulations with certain non-substantive changes. Commissioner Thomas made a motion to adopt COMAR 10.24.16 as final regulations, which was seconded by Commissioner Stollenwerk and unanimously approved.

**ACTION: COMAR 10.24.16 – State Health Plan for Facilities and Services: Home Health Agency Services –is hereby ADOPTED as final regulations.**

### **ITEM 5.**

**ACTION: COMAR 10.24.08 – State Health Plan for Facilities and Services: Nursing Home Services – Final Regulations**

Ms. Weiss also presented proposed amendments to COMAR 10.24.08, which were also adopted at the November 2015 meeting, contingent upon the adoption of proposed COMAR 10.24.16 as final regulations. The amendments to COMAR 10.24.08 remove the regulations in that Chapter that previously applied to home health agency services. Commissioner Fronstin made a motion to adopt the amendments to COMAR 10.24.08, which was seconded by Commissioner Thomas and unanimously approved.

**ACTION: COMAR 10.24.08 – State Health Plan for Facilities and Services: Nursing Home Services – Amendments are hereby ADOPTED as final regulations.**

## **ITEM 6.**

### **PRESENTATION: Status Report and Update on Hospice Need Projections**

Linda Cole, Chief of Long Term Care Policy and Planning, presented a status report on staff's update to hospice need projections. Ms. Cole noted that, although the Hospice Services Chapter (COMAR 10.24.13) of the State Health Plan was adopted as final regulations by the Commission in October 2013, implementation of the Chapter through the scheduling of receipt of CON applications was ultimately delayed until June 2016 as the result of 2014 legislation that was withdrawn after discussion with the Commission. Ms. Cole discussed recent hospice utilization data, updated need projections, and the anticipated publication of a schedule for CON reviews to establish a new hospice or expand an existing hospice in jurisdictions where need is projected. After questions and discussion among the Commissioners, Ms. Cole said that she would present additional data at the April meeting.

## **ITEM 7.**

### **UPDATE: Legislative Session**

Erin Dorrien, Chief of Government and Public Affairs, noted that Monday, March 21, 2016 was cross-over day at the General Assembly. She said that the status of bills of interest to the Commission is rapidly changing. Ms. Dorrien provided a bill summary chart of all bills that being tracked. She discussed SB 707/HB 1350, "Freestanding Medical Facilities – Certificate of Need, Rates and Definitions," which would establish an exemption process by which a general hospital could seek Commission approval of its proposed conversion to a freestanding medical facility. She noted that the Commission supported the bill. She also discussed SB 352, "Maryland Health Care Commission – Certificate of Need Review – Interested Party," which passed in the Senate and was scheduled for a hearing in the House on March 24. She noted that the Commission had scheduled Monday conference call meetings to discuss pending legislation and that the next such meeting would be on Monday, March 21.

## **ITEM 8.**

### **PRESENTATION: 2014 Patient Centered Medical Home Shared Savings Update**

Guy D'Andrea, Managing Partner at Discern Health, and Melanie Cavaliere, Chief of Innovative Care Delivery, presented an update on 2014 shared savings in the Maryland Multi-Payor Patient Centered Medical Home Program. Ms. Cavaliere noted that the MHCC began a three-year pilot in 2011 to test the patient centered medical home model of care, and that Maryland's program included 52 primary and multi-specialty practices with participation by the State's four payors, TRICARE, and Medicaid managed care organizations.

## **ITEM 9.**

### **PRESENTATION: Hospital Health IT Assessment Report**

Angela Evatt, Chief of Health Information Exchange, and Nicole Majewski, Health Policy Analyst, presented highlights of the Commission's Hospital Health IT Assessment Report. Ms. Evatt stated that this report details the adoption and use of health IT among all 47 hospitals in Maryland and includes information on hospitals' implementation of electronic health records, health information exchange, and telehealth.

## **ITEM 10.**

### **Overview of Upcoming Initiatives**

Ben Steffen, Executive Director, reported that the Commission's April agenda may include approvals of release of MCDB data for The Lewin Group and the University of Maryland School of Public Health; Presentation on the Round One finding on Telehealth; a Legislative Wrap up presentation; and an presentation with an overview of CRISP and its re-designation as the State-Designated Health Information Exchange.

## **ITEM 11.**

### **ADJOURNMENT**

There being no further business, the meeting was adjourned at 3:45 p.m. upon motion of Commissioner Moffit, which was seconded by Commissioner Carr-York and unanimously approved.